

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: Health and Human Services Appropriations Committee

BILL: CS/SB 448

INTRODUCER: Health and Human Services Appropriations Committee and Senator Wilson

SUBJECT: Independent Living

DATE: April 18, 2006

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Sanford</u>	<u>Whiddon</u>	<u>CF</u>	Favorable
2.	<u>Hardy</u>	<u>Peters</u>	<u>HA</u>	Fav/CS
3.	_____	_____	<u>WM</u>	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

The bill establishes a pilot program in Miami-Dade County to allow up to 50 young adults who are former foster children to continue to receive all foster care program services until the age of 21. Participants are to be selected by the circuit court having jurisdiction over the foster care case. Participants must be under the age of 18 at the time of selection.

The bill requires that the Department of Children and Family Services (DCF or the department) identify a cohort of 50 young adults who are not eligible for the Road to Independence (RTI) scholarship program as a comparison group for the participants in the pilot program. It requires DCF to administer the independent living assessment tool to both groups.

The bill requires annual reports to the Legislature comparing the pilot group and the control group. It also requires a final report no later than December 1, 2010. This final report must include an analysis, including a fiscal analysis, and an assessment of the benefits and drawbacks of duplicating the pilot program throughout the state.

The bill appropriates \$500,000 to the Department of Children and Family Services from the General Revenue Fund for the pilot program, and authorizes the department to transfer funds from this appropriation to the Agency for Health Care Administration to fund the Medicaid cost of this pilot.

The bill provides for an effective date of July 1, 2006.

The bill creates an unnumbered section of Florida Statutes.

II. Present Situation:

The Department of Children and Family Services administers a system of foster care services for children birth through age 17. Subsection 39.01(29), F.S., defines “foster care,” as “care provided a child in a foster family or boarding home, group home, agency boarding home, child care institution or any combination thereof.” Subsection 39.01(12), F.S., defines “child” as “any unmarried person under the age of 18 years who has not been emancipated by the order of the court.” There is no definition for “foster care services.”

An array of services is provided to children ages birth through 17 in foster care. Services are also provided to their families to achieve safety, permanency, and well-being for the children. Chapter 39, F.S., provides for assessment, case planning, service delivery and case review for children in foster care. In addition, the statute provides for medical, mental health and residential treatment services for children in foster care. Children in foster care currently have a judicial review of their case at least every six months. All of these services are funded by a combination of federal (primarily Title IV-E and Medicaid) and state general revenue funds.

The Department of Children and Family Services administers a system of independent living services throughout Florida. The two eligible populations are children age 13 through age 17 in foster care and young adults formerly in foster care age 18 through age 22. The state law governing this program is s. 409.1451, F.S. These services are funded through a combination of federal funds (Chafee Grant and the Education and Training Voucher) and state general revenue funds. According to the Department of Children and Family Services, as of October 23, 2005, there were 30,080 children in out-of-home care in Florida, including 14,348 children in licensed foster care and 15,359 children in relative/non-relative care. Of the 14,348 children in licensed foster care, there were 5,214 children age 13 through 17 who were eligible for independent living services. Children in relative/non-relative care are not eligible for these services.

Many stakeholders in Florida and across the United States are concerned about the population of young people exiting the nation's foster care system at age 18. The primary concerns are about young people's ability to be self-supporting and achieve independence without the support of a family and the quality of preparation for independence that foster children ages 13-17 are given. Some states, including Texas, Illinois and New York, retain children in foster care until the age of 21, if doing so is determined to be in the best interest of the child.

Programs including independent living services were implemented at the national and state levels in order to provide support to young people to assist them in transition to adulthood. These programs are focused on providing educational and employment services and designed to prevent young people from being homeless, unemployed, poverty stricken, unmarried parents, high school dropouts, incarcerated, and from exhibiting other high-risk behaviors. These services are based on the five key purposes outlined in the Federal John H. Chafee Foster Care Independence Program. Those purposes are to:

- Identify children who are likely to remain in foster care until 18 years of age and help these children make the transition to self-sufficiency by providing services such as assistance in obtaining a high school diploma, career exploration, vocational training, job

- placement and retention, training in daily living skills, training in budgeting and financial management skills, substance abuse prevention, and preventive health activities.
- Help children who are likely to remain in foster care until 18 years of age receive the education, training, and services necessary to obtain employment.
 - Help children who are likely to remain in foster care until 18 years of age prepare for and enter postsecondary training and education institutions.
 - Provide personal and emotional support to children aging out of foster care through mentors and the promotion of interactions with dedicated adults.
 - Provide financial, housing, counseling, employment, education, and other appropriate support and services to former foster care recipients between 18 and 21 years of age to complement their own efforts to achieve self-sufficiency and to ensure that program participants recognize and accept their personal responsibility for preparing for and then making the transition from adolescence to adulthood.

The Road-to-Independence scholarship program is intended to help former foster children, ages 18-22 years, receive the educational and vocational training needed to achieve independence. In order to receive RTI Scholarship benefits, recipients must be former foster youth who have earned a standard high school diploma or its equivalent and enrolled full-time in an eligible postsecondary education institution as defined in s. 1009.533, F.S. Students may also be eligible for the scholarship if they have not received a high school diploma but meet the other requirements, so long as they are enrolled fulltime in an accredited high school or an accredited adult education program designed to provide the student with a high school diploma or its equivalent. Participants are allowed to live in their former foster home placements where they were residing at the time of their 18th birthday (s. 409.1451(5)(b), F.S.), and when the foster parent is willing for the young person to remain in his/her home, there are many benefits for the youth. This provision does not apply, however, to those who are not eligible for the RTI program, even though those who are not eligible are sometimes the most vulnerable young adults who may particularly benefit from the continuity of remaining with their former foster families.

The former foster children who are not eligible for the RTI program may be eligible to receive Aftercare Support Services which continue to develop the skills and abilities necessary for independent living. The services available include, but are not limited to, mentoring and tutoring, mental health services and substance abuse counseling, life skills classes, parenting classes, job skills training and temporary financial assistance (s. 409.1451 (5)(a), F.S.). In addition to any services provided through aftercare support or the Road-to-Independence Scholarship, a young adult formerly in foster care may receive Transitional Services which are other short-term services, including financial, housing, counseling, employment, education, mental health, disability and other services (s. 409.1451 (5)(c), F.S.). According to the department, there were statewide 2,446 former foster children ages 18 through 21 who were potentially eligible to receive assistance as young adults as of October 23, 2005. The department also reports that during October 2005, 1,219 young people received RTI scholarships,¹ 370 young people

¹ The RTI number provided by the department includes only 18-20-year-olds, even though RTI eligibility includes 18-22-year-olds. The transitional services and aftercare services numbers are for 18-22-year-olds. The numbers of former foster care children, broken down by age as of October 2005, are as follows:

18	671
19	648
20	563

received Transitional Services and 42 received Aftercare Support Services. However, since these services are available to both RTI and non-RTI eligible youth and since an individual may receive services in multiple categories, these numbers do not suggest a potential number of applicants to continue foster care services after age 18.

In 2005, the Legislature amended s. 409.1451 (5)(b), F.S., to provide that young persons who are receiving the RTI scholarship may choose to live in a licensed out-of-home setting and use a portion of their award to pay for the continued cost of room and board in the foster home.² This bill also amended s. 39.013, F.S., to allow former foster children to petition the court at any time prior to the 19th birthday to retain jurisdiction over the dependency case. If the petition is granted, the court is to hold periodic reviews of the services being provided to the young adult to ensure that their transitional services needs are being addressed. No other case management services are provided to these young adults.

III. Effect of Proposed Changes:

The bill directs the Department of Children and Family Services to create a continued foster care pilot program in Miami-Dade County. The pilot is to include up to 50 former foster youth selected by the circuit court having jurisdiction over the young adult. Any young adult participating in this pilot program will continue to receive all foster care services, remain under continued court jurisdiction, and remain in their current foster or group home placement or another licensed foster home arranged by the department until he or she leaves the pilot program or until he or she reaches 21 years of age.

The department is directed to use the independent living assessment tool as defined in s. 409.1451(4)(B)4, F.S., to assess each young adult. The department is also to identify a cohort of 50 former foster youth who were not eligible for the Road-to-Independence Scholarship and who live in a county similar to Miami-Dade County. The department is directed to administer the same independent living assessment tool to this group. The two groups are to be compared based on the results of the assessments.

The department must prepare annual reports to the Legislature on the findings of the pilot program by January 31st of each year and a final report by December 1, 2010. The annual reports must compare young adults to the comparison group each year. The final report must include an analysis, including a fiscal analysis, and a recommendation of the benefits and drawbacks of duplicating the pilot program in the entire state.

The bill appropriates \$500,000 to the Department of Children and Family Services from the General Revenue Fund for the pilot program, and authorizes the department to transfer funds from this appropriation to the Agency for Health Care Administration to fund the Medicaid cost of this pilot.

It provides for an effective date of July 1, 2006.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

Foster Care Services

DCF estimates that the foster care cost associated with this legislation will be between \$1,849,052 and \$3,779,552 in Fiscal Year 2006-2007, between \$1,780,595 and \$3,711,095 in Fiscal Year 2007-2008, and between \$1,787,456 and \$3,717,956 in Fiscal Year 2008-2009.³ In addition to the cost of keeping the child in foster care, these estimates include the cost of five case workers for case management services to pilot program participants, four case managers to track the cohort of young adults participating in the pilot who do not receive the services, two additional supervisors, and an

³ The estimated cost is given in a range for each year due to the inability to predict the variety of services which will be required for each young adult. The low end of the range envisions the following residential breakdown:

- 20 Family Foster Home
- 15 Residential Group Care
- 5 Therapeutic Group Care
- 5 Specialized Therapeutic Foster Care
- 5 Residential Treatment Centers

The high end reflects the assumption that this group of young adults would need more extensive services:

- 5 Family Foster Home
- 5 Residential Group Care
- 10 Therapeutic Group Care
- 10 Specialized Therapeutic Foster Care
- 20 Residential Treatment Centers

independent evaluator. Since all the participants in this pilot will be considered adults based on the federal qualifying criteria for the foster care program, the pilot participants will not qualify for federal financial participation otherwise available for foster care services to children under the age of 18.

Medicaid Services

The Agency for Health Care Administration (AHCA) estimates that the Medicaid cost associated with this pilot is \$172,236 for Fiscal Year 2006-2007, including \$70,841 from the General Revenue Fund and \$101,395 from the Medical Care Trust Fund; \$265,332 for Fiscal Year 2007-2008, including \$109,131 from the General Revenue Fund and \$156,201 from the Federal Grants Trust Fund; and \$301,392 for Fiscal Year 2008-2009, including \$123,963 from the General Revenue Fund and \$177,429 from the Federal Grants Trust Fund. These estimates are based on providing Medicaid services to 50 young adults.

The bill appropriates \$500,000 to the Department of Children and Family Services from the General Revenue Fund for the pilot program, and authorizes the department to transfer funds from this appropriation to the Agency for Health Care Administration to fund the Medicaid cost of this pilot.

VI. Technical Deficiencies:

None.

VII. Related Issues:

The bill does not limit participants in the pilot to former foster children who are not eligible for the RTI scholarship. Although the intent may be implied from the limitation of the control group, the language of the bill does not contain that limitation.

The bill provides no standards for the circuit court to use in making the selection of the young adults to participate in the program.

The bill does not address the issue of willingness of the young adults to participate (either in the pilot group or in the cohort group) or the issue of attrition of the groups over time.

The bill does not provide guidance to the department as to how to implement the program, either initially or in succeeding years, if the dollars appropriated are insufficient to fully program.

VIII. Summary of Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
